



TESTIMONY OF AMBER VLANGAS
EXECUTIVE DIRECTOR, RESTORATIVE ACTION ALLIANCE, INC.
LABOR & PUBLIC EMPLOYEES COMMITTEE PUBLIC HEARING.

Senator Kushner, Representative Porter, Senator Sampson, Representative Arora, and esteemed members of the Labor & Public Employees Committee.

My name is Amber Vlangas, and I am a resident of Sherman Connecticut and a volunteer with Restorative Action Alliance. We are a regional advocacy group made up of anti-carceral crime survivors, individuals who have been impacted by the criminal legal system, and restorative justice advocates and practitioners.

I am here today to express support for the concept of **House Bill 5248 – An Act Concerning Collateral Consequences of Criminal Convictions on Occupational Licenses** while urging this committee to make some critical revisions.

While this proposal is a positive step forward, it doesn't go far enough to address the hundreds of barriers¹ that people living with records face while seeking employment in our state. To contextualize my remarks, I will share that I am a member of a system-impacted family, a crime survivor and a person who served on the Employment subcommittee of the Council on the Collateral Consequences of a Criminal Record that gave rise to this bill.

As the Labor and Public Employees committee goes about the important work of addressing obstacles to employment for members of our communities, it is imperative that you consider the following:

- The current language of H.B. 5248 attempts to break down barriers to professional licensure, however, it will fall significantly short of providing real-world relief due to the weak “reasonably related” standard it utilizes. This standard is not as stringent as the “substantial nexus” standard that currently applies to public employers and will make it quite simple for private employers to exclude applicants from consideration based on their record.

¹ National Inventory of Collateral Consequences of Conviction, available at https://niccc.csgjusticecenter.org/database/results/?jurisdiction=260&consequence_category=&narrow_category=&triggering_offense_category=&consequence_type=&duration_category=&page_number=1; see also Kelan Lyons, “Council Begins Study of Discrimination against People with Criminal Records.” CT Mirror (Aug. 22, 2019), available at <https://ctmirror.org/2019/08/22/council-begins-study-of-discrimination-against-people-with-criminal-records/>.

- The proposal desperately needs to be expanded beyond occupational licensure to include a provision that prohibits private employers from blanket discrimination against those with past legal system involvement.
- Employers engaging in fair hiring practices should be provided with legal protections against perceived liability through safe harbor provisions.
- Policies that leave room for continued discrimination based on a past arrest or conviction represent a conscious choice by our state to perpetuate harm against those who are disproportionately affected by the criminal legal system, particularly black and brown people, people living with disabilities and the poor.

When we explore these issues, it is necessary to remember that this is not an “us and them” scenario. 95% of people who are currently incarcerated will be coming home to our shared communities². More than half of adults in the U.S. have a family member who has been incarcerated³. These are our mothers, fathers, sisters, brothers, children, and more. They have valuable skills and untapped potential. When people with records are locked out of employment opportunities, or are exploited in the workplace due to their past, it hurts more than just those individuals. More than half of those who have served time in Connecticut are parents⁴ - meaning these barriers to reentry also harm Connecticut children when their parents return to society and cannot find jobs to support their families. Familial struggles become community struggles.

When a person has done the hard work, and fulfilled their obligations after an arrest or conviction, they should have the right to support themselves and their loved ones, like all other people. Denying people the right to have a fair chance at employment is counterproductive to public safety and economic development goals. For many who experience barrier after barrier, their situation becomes a matter of life and death. When someone who is formerly incarcerated has a fair chance at earning a job, and a safe place to live, they are less likely to fall prey to desperation, hopelessness or continued cycles of crime.⁵ Allowing this discrimination to continue makes no sense for our state, especially in the face of significant labor shortages and our ongoing efforts to create a safer, healthier Connecticut. Simply put, mass incarceration and its collateral consequences hurt each and every one of us by limiting the potential of our communities. It is critical that we take immediate legislative action to tackle these problems effectively.

At Restorative Action Alliance, we believe that all people have value and that a safe society includes the opportunity for every person to be restored, build a productive life, and make contributions for

² U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, “Reentry Trends in the United States,” <http://www.bjs.gov/content/reentry/reentry.cfm>; hereinafter “Reentry Trends.”

³ “Half of Americans Have Family Members Who Have Been Incarcerated.” Equal Justice Initiative (Dec. 11, 2018), available at <https://eji.org/news/half-of-americans-have-family-members-who-have-been-incarcerated/>.

⁴ Roger Senserrich, “Our New Report: Children with Incarcerated Parents.” CT Ass’n for Human Servs. (Jun. 12, 2016), available at http://www.cahs.org/our_new_report_children_with_incarcerated_parents.

⁵ The availability of suitable jobs in the labor market a person reenters when leaving incarceration “significantly reduces the risk of returning to prison.” Crystal S. Yang, “Local Labor Markets and Criminal Recidivism.”

the good of their community. In our work with system-affected individuals, we frequently see the devastating impacts that collateral consequences related to employment can have on someone's efforts to reenter society and successfully pursue a happy and fulfilling future.

H.B. 5248 represents a small and well-overdue step towards ensuring fair employment opportunities for all, and we are confident that this would ring even more true with the suggested changes and additional concepts included in this testimony. We support the passage of a significantly amended and expanded version of HB 5248.